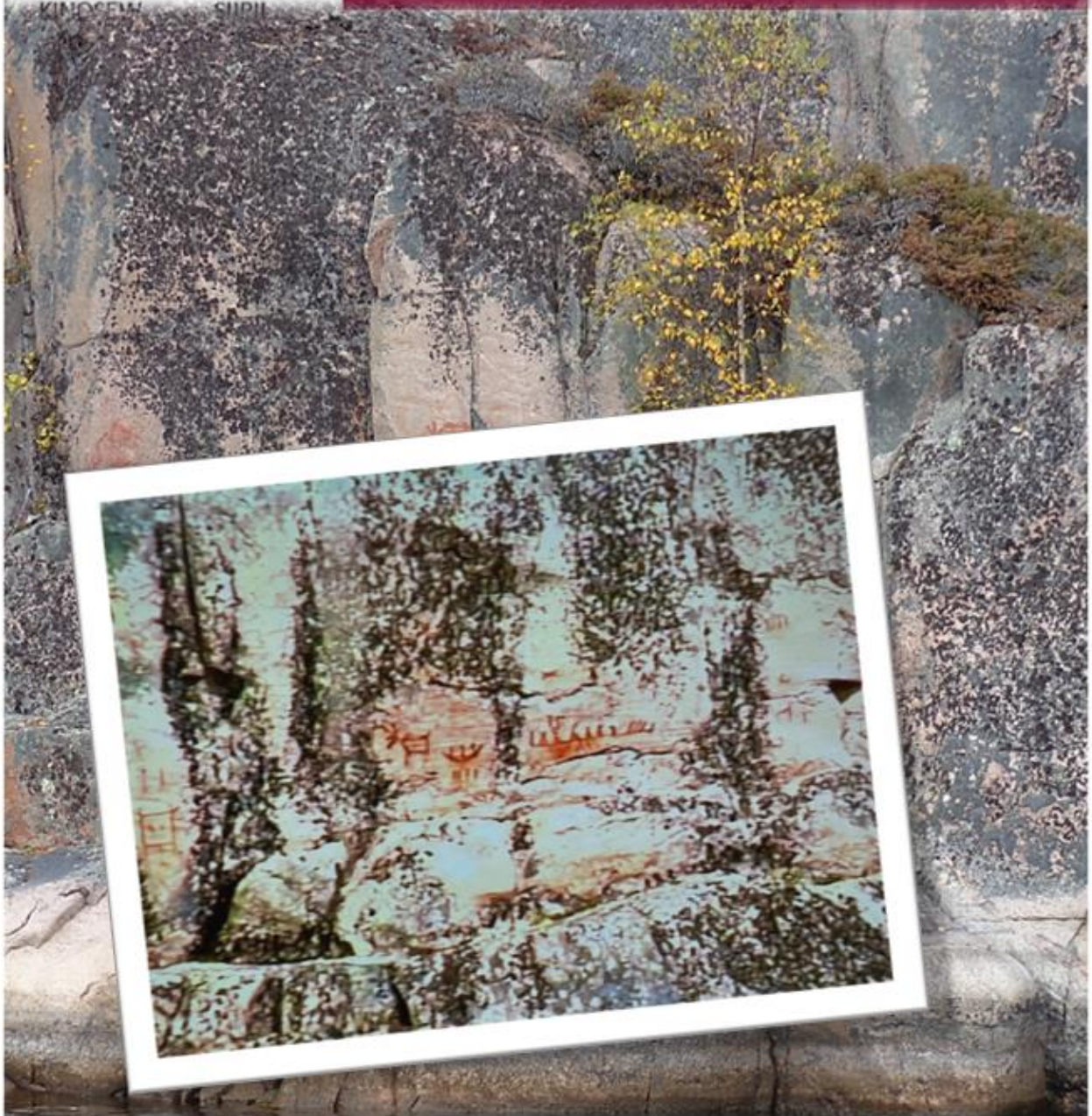




ININEWI WANASIWEYWIN

ᐱᓄᓴᓄᓴ ᓱᓱᓱᓱ



**Kinosao Sipi Ininewi Wanasiweywin
Norway House Cree Nation Family Law**

TABLE OF CONTENTS

SECTION	Page
PREAMBLE: Ka Kehcinahohk b 9"r"e"p"i" / <i>Affirmation</i>	4
SECTION 1: Kiscikekona ka Aspacyahk P"r"9de b <"<r"de"p"<" / <i>Declaration of Principles</i>	5
SECTION 2: E isi Mekiimakahk oma Wanasiwewin ∇ Δ' 7P"LB" >L <de"v"Δ' / <i>Interpretation of this Law</i>	6
SECTION 3: Nisitohtamawina σ'p"CLΔe / <i>Definitions</i>	7
SECTION 4: Ke Itapacihтанowahk oma Wanasiwewin 9 ΔC<r"CC"p"<" >L <de"v"Δ' / <i>Purpose of this Law</i>	13
SECTION 5: Siihtoskewin i"p"9Δ' / <i>Prevention focused services</i>	16
SECTION 6: Awasisak Okanawewinitakosiwin <<P"i' >be"v"ΔσCp'Δ' / <i>Child Protection Services</i>	20
SECTION 7: Koyask kita Pimohtatanowahk d7" PC A"J"CC"p"<" / <i>Governance and Accountability</i>	24
SECTION 8: Koyask Isiihcikewin d7" Δi"r"9Δ' / <i>Decision standards</i>	32
SECTION 9: Nanatohk Kekona ee"p" 9de / <i>General Provisions</i>	37
SECTION 10: E Isi Akoniyikemakahk oma Wanasiwewin ∇ Δ' <de"p"9LB" >L <de"v"Δ' / <i>Jurisdiction</i>	40
SECTION 11: Nahawinikewina e"<Δσ9Δe / <i>Regulations</i>	41

SECTION 1 *Kiscikekona ka Aspaciyahk* ᑭᑭᑭᑭᑭᑭ ᑭ ᑭᑭᑭᑭᑭᑭ
Declaration of Principles

- 1.0** Ekoni ohi kiscikekwana ka aspaciyahk tapasikonikamahk oma wanasiwewin:
We rely upon the following principles underlying these concepts, and contained within our Treaty and international laws, to guide the implementation of this law:
- *Tipenimisowin/ Self-determination*
 - *Takanawenitamahk kakiisi miinikoyahk Kisemanito kita ohpikinawasoyahk/ Cultural Continuity*
 - *Pahpeyakwan inikohk Akonayikewin /Substantive Equality*
 - *Tepipanowin kita Pimothtemakahk/ Sustainability*

Kakii isi miinikoyahk Kisemanito ta isi mino ohpikihawasoyahk, ekote ka oscipanik oma niwanasiwewinaan. Ka kii kiiskinamakawahk awa Canada nikaskihewisinaan takii pamihayahok miina kita mino ohpikihawasowak nicawasimisininak, nitayamiwinahk asici niwahotowinahk isi, eko oma niininan Kinosao Siipii ininiwak ka wii atoskatamaahk kita mamawii kithtom mino ohpikihawasoyahk. Akwa oma wanisiwewinik kita oscipanik niisohamakewin sooniyawi okimahk osci, kescinatc kita tepipaniiyahk kaskihewesiwin miina sooniyas ta totamahk ohi kewkana, anosc miina niikanihk isi. Pahpeyakwan inikohk akwanahkwewin kita miinikoyahk Canada tapiskoc otininiima ka isi akwanahot.

Creator gave us our law of mino ohpikihawasowin for the holistic raising of our children within our families, language, lands, and natural laws. Canada recognizes the legacy of residential schools and the harms caused by colonial policies and practices which disrupted mino ohpikihawasowin, resulting in intergenerational trauma, and more recently, the disruption that our families have experienced in relation to provincial child and family services systems. In addition, the Canadian Human Rights Act is legislation created by Canada. It governs the Canadian Human Rights Tribunal, which ruled in Decision 2016 CHRT 2 that substantive equality in relation to equitable funding and supports for First Nations Child and Family Services is required to ensure the sustainability of a child and family service system that meets the needs of generations of First Nations children, their families, and their communities. Furthermore, Canada has committed in 'An Act respecting First Nations, Inuit and Métis children, youth and families' that it will be administered in accordance with the principles of substantive equality; recognizing in particular the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child as articulated in the United Nations Convention on the Rights of the Child and in the United Nations Declaration on the Rights of Indigenous People.

SECTION 3 *Nisitohtamawina* ᓂᓯᓂᓴᓴᓴᓴᓴᓴ

Definitions

Kitimahawasowina ohi: Oscitaw ka wiisakitotahtht Awasis, kamaskihiht; eka nakatawenimiht, oscitaw ka kakotakihit, ewanitotaht ahpo ka manenimiht, miina ka metawakatiht Awasis, akwa kotakiya kekona e osci kitimahiht Awasis. Miina, mona akihteno onaskomiwin Awasis ita kawanitotaht.

Abuse is when a child is deliberately harmed by an act or omission by any person, where that act or omission results in physical injury to a child, emotional or physical disability of a permanent nature in the child or is likely to result in such a disability, or results in sexual exploitation of the child with or without the child's consent.

Soniyaw okimaw owanisiwewin ota kapacihnanowahk, Act kayicikatek ota masinayikanik.
Act means *An Act respecting First Nations, Inuit and Métis children, youth and families.*

Ka pakitiniht Awasis piitos awiia kita ohpikiikot, tapiskoc katapahomiht, ota nahawewinikewina kita pimitisahikatewa.

Adoption of a child by customary practice or other process as ascribed in this Law.

Anima 'Agency' ka icikatek piitos wanasiwewinihk ka osci tahkopisomakahk.

Agency means a child and family service agency or authority mandated by Provincial or Territorial laws, or the laws of other Indigenous Governing Bodies.

Ka otiniht Awasis ota wanasiwewinihk, eko ana Awasis ka otiniht wiitkwemakana osci, akwa piitos ite kayaniht takanawenitakosit.

Alternate Care and 'child in care' shall mean the equivalent of 'child under apprehension'.

Ewanasinayikatek ka wanasiwecik Okimahkan miina Itasiwewiniwak.

Band Council Resolution or **BCR** or **Resolution** means a written resolution passed at a duly convened meeting of the Norway House Cree Nation Chief and Council.

Band Member or **Member** see the definition 'Norway House Cree Nation Ininiw (Citizen)'

Mawac kita isi mino ohpikit Awasis atimasiniyatew ota wanasiwewinihk.

Best Interests of the Child has the meaning ascribed in this Law.

Kapamihawasot itaw ana inino tahtokiisikaw kapimipamihat ka kii otinimiht Awasisa ahpo nomake kapatinimiht.

Care Provider means an adult person who has the primary responsibility for

providing the day-to-day care of a child, including in accordance with the customs or traditions of the Norway House Cree Nation, and who is not the child's parent.

Awasis e itoniwahk, eko ana inino eka ceskwa ka tipihatawaskiinet, weka ekosi etentakosit ita eka ka kescinahonanowahk.

Child (or 'child') means a person who is under the age of 18 years, or in the absence of evidence to the contrary, appears to be under the age of 18 years.

Ota wanasiwewinihk ka isi wiiscikatek, ekoni ohi niisohamakewina kapimohtatacik Oniisohamakewin Ohpikihawasowin kiycikatek, ita ka osci nanakatawewinimihcik awasisak ominisowiniwahk kamanipaniikocik.

Child Protection and Family Services means a program or service provided to a child and Family where there is an on-going risk of family breakdown and increased risk of the child coming into care or where the child is in the care of, or who is receiving services from, Oniisohamakewin Ohpikihawasowin.

Okimahkan miina Itasiwewiniwak ekonik Council kayitihcik.

Council means the Chief and Councillors of the Norway House Cree Nation.

Tapahohtowinihk ka is otiniht Awasis.

Customary adoption of a child is as stated in this Law.

Otatoskenkan kaniikaniskahk Kawii Pimohtatacik.

Director means the Director of Kawii Pimohtatacik.

Kiskinomaakewin anima ka koyaskoniht awasis.

Discipline is when a child is being taught and guided appropriately.

Ana Kinosao Sipi Inino ka tipihatawaskiyinet kita pimipahtastahk kekon.

Elector is a Norway House Cree Nation member who is eligible to vote, as defined by Norway House Cree Nation.

Ana oskatis pe otanahk kakii otiniht kita piminiisohamaht ota osci wanasiwewinihk, isko niisomitanaw nikotososap kita itahtowaskiinet; kisasin ekosi kita isi natawentakon.

Extension of care means continuing care, support, and provision for access to services where warranted for a young person beyond 18 years of age who has been a ward of Oniisohamakewin Ohpikihawasowin (and formerly Kinosao Sipi Minisowin Agency) and may include individuals up to age 26 or greater.

Kaniikaniskahk Oniisohamakewin Ohpikihawasowin 'Executive Director' itaw.

Executive Director means the Director of Oniisohamakewin Ohpikihawasowin.

Awasis ominisowin kayitoniwahk, ekoni anihni oniikiikomawa ohkawiwa, ohtawiwa, ohoma, omosoma, omisa, ostesa, osiima, otosisa, ohomisa, wiicisana, miina kotakya tipinow wiina kawahkomat, anihki katapahomikot ahpo kakikanimiht ominisowinihk ininiwinahk isi.

Family means a child's mother, father, sibling, grandparent, aunt, uncle, cousin, matrilineal and patrilineal kin, guardian, other relatives whether by blood, cultural adoption, or marriage, and any person other than a foster parent who, prior to the involvement of the Oniisohamakewin Ohpikihawasowin, undertook substantial responsibility in providing care for the child and includes a person whom a child considers to be a close relative or whom Norway House Cree Nation, in accordance with its customs, traditions and customary adoption practices, considers to be a close relative of the child.

Wiinawaw Kinosao Sipi Okimahkan asici Itasiwewinowak ka kanawapahtamowacik otininiimowawa oma wanasiwewin.

Indigenous governing body means the Norway House Cree Nation Chief and Council authorized by the Norway House Cree Nation people to act on their behalf.

Ininiimowin icikatew kitayamiwinaw ota Kinosao Sipi.

Ininiimowin is the language of Norway House Cree Nation (commonly referred to as 'Cree').

Kamamiiohemocik itawak kehteyatisak kita kakanohemocik koyask kita pasikonikatek oma Oniisohamakewin Ohpikihawasowin.

Kamamiiohemocik, similar to the former Local Child Care Committee, shall advise on the proper implementation of Oniisohamakewin Ohpikihawasowin.

Kawii Pimohtatacik ta kanawapamikok koyask kita pasikonikatek oma Kinosao Sipi Minoyawin Niisohamakewin, miina koyask kita pimohtatanowahk oma wanasiwewin.

Kawii Pimohtatacik is the oversight body of the Norway House Cree Nation Ininewi Wanasiewin, as elected and appointed by Norway House Cree Nation pursuant to this Law.

Ekoni ohi kehteyatisak, Kehteyak itawak, kita kakanohemewak akwa taniisohamawewak Kawii Pimohtatacik ta pasikonahik oma wanasiwewin.

Kehteyak are the Elders Advisory group that shall provide guidance and assist Kawii Pimohtatacik in the implementation of the law.

Kinosao Sipi eyitoniwahk, akoni peyakwan Norway House Cree Nation.

Kinosao Sipi means Norway House Cree Nation.

Kinosao Sipi Minoyawin icikatew ita kawii mamawi kanawapacikateki nanatohk niisohamakewin kapasikonkatek ota wanasiwewinihk.

Kinosao Sipi Minoyawin Family Services means the child and family services agency established under this Law.

Kisasin 'Law' etastek ota masinayikanihk, oma Kinosao Sipi Ininewi Wanasiweywin kayicikatek.

Law means Norway House Cree Nation Ininewi Wanasiweywin (Norway House Cree Nation Family Law).

Kinosao Sipi Inino kayitoniwahk, eko ana inino ota Kinisao Sipiikh ka osci tipentakosit.

Norway House Cree Nation Ininiw (Citizen) means any person who, under the Indian Act, R.S.C., 1985, c. I-5, is a member of Norway House Cree Nation including any person of Norway House Cree Nation ancestry who is a member of Norway House Cree Nation pursuant to its membership code adopted under the Indian Act or under any that may be adopted under any other applicable federal legislation or citizenship law as established or understood by Norway House Cree Nation.

Ewanasiniyikateki tansi towiihkan piitos kekona eyispanika Kinosao Sipi Awasis osci patote kakanawenimiht akwa ekota ispii ke pewiihcikatek

Notice Indicators are incidents or occurrences that require a Notice of significant measure to Norway House Cree Nation, as set out in this Law.

Poko kita pewiihtamahcik oniikiikomawak, kapamihawasowcik miina Kinosao Sipi Okimahkan akwa Itasiwewiniwak kekon piitos eyispanik Kinosao Sipi Awasis osci patote kakanawenimiht.

Notice means a notice to be provided to the child's parent and the care provider, as well as to the Indigenous governing body before taking any significant measure in relation to the child, pursuant to Section 12(1) of *An Act relating to First Nations, Inuit and Métis children, youth and families*.

Onahawinikewak kawii wanasiwecik ispii ekosi isi nitawenitakohk oma wanasiwewinihk isi, tapiskoc kakii pe tocikatek otanahk.

Onahawinikewak are a tribunal that shall provide an alternate dispute resolution system consistent with traditional practice, pursuant to the inherent right of Norway House Cree Nation.

Oniisohamakewin Ohpikihawasowin kita pimohtatow omeno atoskewin ("Kinosao Sipi Minisowin Agency" mana kakii isinihkatek).

Oniisohamakewin Ohpikihawasowin is the prevention focused Child Protection and Family Services enacted under this Law (formerly Kinosao Sipi Minisowin Agency).

Opamihawasowak itawak nomakes ka kananawasocik anihi awasisa kakiiwatisinit, ahpo kamaskisinit, ahpo owahomakaniwaw ocawasima ka otinimiht.

Opamihawasowak means Alternate caregivers, Kinship caregivers, specialized medical kinship caregivers, and specialized medical caregivers.

Oniikaniiwak kita wanaskonewak Otayamiistamakew, Kinosao Sipihk e osci tipentakosit, kitapiikiskwestamowat ininowa ka animipaniikonit ocawasimisowaw osci.

Otayamiistamakew is the Norway House Cree Nation child and family advocate.

Niisohamakewin kita ihtakwan, Pikowacayihk Pimacihowin kita icikatew, ininiiwi pimatisiwin kita kiskinomahcik awasisak miina oniikiikomawak, minoyawinihk isi.

Pikowacayihk Pimacihowin shall be the culturally appropriate land-based wellness service for Norway House Cree Nation families and their children.

Ewanastaniwahk ota wanasiwewinihk tanite keyaniht Awasis wiitikemakanihk ka osci otiniht.

Placement priority of a Norway House Cree Nation child in the care of Oniisohamakewin Ohpikihawasowin or any external child and family service or agency is as stated in this Law.

Okimahkan asici Itasiwewinowak miina Kawii Pimohtatacik ota osci wananiwewinihk kita pasikonamok Natawiwekamika anihkik osci kapakamiskakocik ominisowinowahk e animanik kekon.

Residential Care facility means any place established or designated, by Norway House Cree Nation in collaboration with Kawii Pimohtatacik, primarily as healing centers for the residential care and treatment of families and their children and includes facilities operated by any Norway House Cree Nation governmental department for those purposes but does not include facilities for the temporary detention of a child or existing services in other Norway House Cree Nation departments such as shelters.

Oma wanasiwewinihk, 'shall' eyitastek akoni poko kitati tocikatek. Kiasin 'may' itastew, takiitocikatew ispaniki ispii.

"Shall" is mandatory and **"may"** is discretionary in this Law.

Awasis ka wiici ohpikit kotakiiya awasisa nimis, nistes weka nisiim ka itahomat akwa ekosi ka isi kanawapamikot anihi kapimi ohpikiikocik.

Sibling groups mean children who are being raised together as siblings and are considered siblings by the family.

'Ward' etoniwahk eko ana Awasis kakiy otiniht. Tahopiso oma wanasiwewinihk ana kaniikaniskahk omeno Oniisohamakewin Ohpikihawasowin wiina kanawapamik koyask kitapamihat ana Awasisa, kiasin wiinawaw kayawacik wekaci kakii ohtinacik. Kiasin piitos ite patitote kakii otiniht miina kakanawenimiht ana Awasis, wiista tahopiso kotak anisino owanasiwewinihk isi ahpo emistikosiiwinak osci wanasiwewinihk, ana kakii ohtinaht miina kapimipamihat koyask kitapamihat ana Awasisa.

Ward means a child of whom the Executive Director of Oniisohamakewin Ohpikihawasowin, or another child and family service or agency mandated under an Indigenous, Provincial, Territorial or other law, is the guardian.

the best conditions for the well-being and balanced growth of the child to be considered in the decision-making process as stated:

- a) PC ᑦᓂᓃᑦ ᑭᑦᑭᑦᑦ ᑦᑦᑦᑦ ᑭᑦ ᓂᑭᑦ PC ᑦᓂᑦᑦᑦᑦ
Kita miiniht awasis miicimino akwa nipiino ta minoskaakot.
Food and water that nourishes the child.
- b) ᑭᑦᑭᑦᑦ PC ᑦᓂᓃᑦ ᓇᑦᑦᑦ ᑭᑦ PCᑦᑦᑦᑦ ᑭᑦ ᑦᑦᑦ PC ᑦᑦᑦᑦᑦᑦᑦᑦᑦᑦ
Awasis kita miiniht nantaw ita kitawiikit akwa ekota kita kohkiwatenimot.
The child to be provided a home where the child feels safe.
- c) ᑭᑦᑭᑦᑦ ᑦᑦᑦᑦᑦᑦᑦᑦ ᑦ ᑦᑦᑦ ᑦᑦᑦᑦᑦᑦᑦᑦᑦᑦᑦᑦ
Awasis sakiwewinihk ta isi minokanawenitakosit.
The child to be loved and protected.
- d) ᑦᑦᑦᑦᑦᑦᑦᑦ PC ᑦᓂᓃᑦ ᑭᑦᑦᑦᑦᑦᑦᑦᑦᑦᑦᑦᑦ ᑦᑦᑦᑦᑦᑦᑦᑦᑦ ᑦᑦᑦ
Maskihkiino kita miiniht awasis nitawentakoniki minoyawinihk isi.
The child to be provided medicine (holistic health care) as needed, for good health.
- e) ᑦᑦᑦᑦᑦᑦᑦᑦ PC ᑦᑦᑦᑦᑦᑦᑦᑦ ᑭᑦᑦᑦᑦᑦᑦᑦ
Otayamiwin kita kiskinomaht awasis.
The child to be taught their language.
- f) ᑭᑦᑦᑦᑦᑦᑦ ᑦᑦᑦᑦᑦᑦᑦᑦ PC ᓇᑦᑦᑦᑦᑦᑦᑦᑦ
Awasis owahkomakana kita nakayenimat.
The child to be familiar with their relatives.
- g) ᑦᑦᑦᑦᑦ ᑦᑦᑦᑦᑦᑦᑦᑦᑦ PC ᑦᑦᑦ ᑦᑦᑦᑦᑦᑦᑦᑦᑦ ᑭᑦᑦᑦᑦᑦᑦᑦᑦ
Ininii pimatisiwinihk kita isi niisohkamaht awasis.
The child to be provided culturally appropriate services.

4.2 Niisohamakewina ewanastaniwahki ininiwi isiscikewinihk isi, eka awasime pakonitaw kita wawi otinihcik awasisak omisiniwihk osci, ta wiicihihcik Kinosao Sipi ininowak owahohtowiniwak miina minoyawinihk kita isi mamawi ohpikinawasocik:
Establishing prevention focused, culturally appropriate services that strengthen families, reduce the number of children in care of agencies by addressing the root causes that lead to child and family system interventions, assist the reunification of children and their families, protection of children, contribute to thriving Norway House Cree Nation children, families, and communities, includes the following specific goals:

- a) *Kita wiiciiscik Kinosao Sipi ininowak otohpikinawasowiniwaw.*

To provide culturally appropriate supports for Norway House Cree Nation people in raising their children.

- b) *Kita niisohamahcik kapimi nitayiwihocik oniikiikomawak miina awasisak anita osci ka mamaw pakamiskot Kinosao Sipi Inino anihi monyaw iisihcikewina kamanatahi.*

To provide services for support of healing and recovery from the on-going harmful intergenerational effects of Indian Residential schools, Indian Day schools, the erosion of language, culture, resilience and the resulting racism, family breakdown, and other harmful effects of Canada's colonization and assimilation policies.

- c) *Kita niisohamahcik Kinosao Sipi ininiwak, oniikiikomawak miina Awasisak otayamiwiniwaw kiihtom ta mamawi apacihtacik eka kitawanitacik.*

To ensure cultural continuity through support to families in the revitalization and retention of our ininiimowin language.

- d) *Kita kanawenicikateki anosc miina ote isi niikanihk kayihtakowahki mecoc niisohamakewina asici kati pasikonikateki ota wanasiwewinihk ka osci wiicihhtcik awasisak.*

To ensure equitable resources, and sustainability of existing services and services to be developed under this Law, for our children, families, and future generations.

4.3 *Ota osci Kinosao Sipi Ininewi Wanasiwewin miinawak maskawisiiwin Kawii Pimohtatacik kita pasikonahkik kita niipawiimakaniki ohi niisohamakewina kati miskocikateki ota wanasiwewinihk.*

Under this Law *Kinosao Sipi Ininewi Wanasiwewin*, Norway House Cree Nation empowers Kawii Pimohtatacik to mandate Kinosao Sipi Minoyawin Family Services as an agency for the purpose of providing child and family services under this Law.

Onahawinikewak are a tribunal that shall provide an alternate dispute resolution system consistent with traditional practice, pursuant to the inherent right of Norway House Cree Nation.

e) **Oniisohamakewin Ohpikihawasowin**

Oma pamihkewekamik "Oniisohamakewin Ohpikihawasowin" kita pimohtatow omeno atoskewin ("Kinosao Sipi Minisowin Agency" mana kakii isinihkatek).

Oniisohamakewin Ohpikihawasowin shall provide prevention focused child protection and family services enacted under this Law (*formerly provided by Kinosao Sipi Minisowin Agency*).

Oniisohamakewin Ohpikihawasowin will develop service delivery and program standards in their areas of responsibility. This includes implementation, coordination, and service delivery of prevention focused child protection and family services.

f) **Otayamiistamakew**

Oniikaniiwak kita wanaskonewak Otayamiistamakew, Kinosao Sipi e osci tipentakosit, kitapiikiskwestamowat ininowa animipaniikonit ocawasimisowaw osci.

Otayamiistamakew shall provide services as the Norway House Cree Nation child and family advocate.

g) **Pikowacayihk Pimacihowin**

Niisohamakewin kita ithtakwan, Pikowacayihk Pimacihowin kita icikatew, ininiwi pimatisiwin kita kiskinomahcik awasisak miina oniikiikomawak.

Pikowacayihk Pimacihowin shall provide land-based learning forums and activities for Norway House Cree Nation families and children.

h) **Counselling and Family Educational Services**

Kita niisohamahcik ininowak miina awasisak kita nitayiwihocik anita osci ka pakamiskot Kinosao Sipi Inino, anosc miina pe otanahk, monyaw i isihcikewina eka ka minosiki.

Healing and recovery from harmful intergenerational effects of Indian Residential schools, Day schools, racism, erosion of language, culture, resilience and other harmful effects of Canada's colonization and assimilation policies.

i) **Residential and Treatment Services**

Kita ihtakowahki natawikamikwa ota kitaskiinahk takii natamostahk oniikiikomaw miina ocawasimisa akwa otoskatsiima ispi ekotowiihkan niisohamakewina e natawentakowahi.

Provision of family wellness centers, treatment centers and other specialized residential facilities within Norway House Cree Nation Reserves, territory and NFA Resource area.

5.2 Summary Description of Preventive Focused Primary and Secondary Services

Onahawinikewak

Onahawinikewak shall work as two (2) groups with six (6) salaried members each, aged fifty (50) years and older in each group, to convene and conduct hearings on unrelated cases. Each group shall select one member to act as Chair of the group. The group will vote only when a consensus cannot be reached within a reasonable timeframe. Members will immediately disclose any conflict of interest and where a conflict of interest exists for Onahawinikewak members for a particular case, the other group shall appoint, for that specific case, a member(s) to act in place of the member(s) disclosing conflict.

The Onahawinikewak wanasiwekamik (similar to a Court room) must be in a location that ensures privacy for proceedings, to be treated as a sacred space, and where the character within the space will reflect the preferences of our ancestors.

a) **Pikowacayihk Pimacihowin**

Pikowacayihk Pimacihowin shall develop and provide programs and services with year-round land-based learning forums and activities and shall create a land-based training center for the teaching of *ininiwi pimatisiwin* which is our people's way of life. Programs and services will include the specifics of skills, knowledge, and Ininiimowin language connected with the following program and service components:

- a) A Land-based learning and training center for families and children.
- b) Ininiimowin immersion programs and in-home ininiimowin tutoring for families and children.
- c) Ininiimowin-based training materials that reflect an accurate history of Norway House Cree Nation and its people.
- d) Establishment of links to obtain the services of local fishers, hunters, trappers, tool-makers and other knowledge keepers of traditional skills.
- e) Collaboration with knowledge keepers to develop ininiimowin-centered trainings and develop apprentice training to sustain services for future generations.
- f) In-home language support services designed and implemented to augment parenting needs and land-based program participation for families and children.
- g) ininiimowin immersion forums and other services for families and children to empower families to support their children in language restoration and retention.

Pikocayihk Pimacihwin *kiisi wanastaniwahi, ohi kekwana kati wiithcikateki ta kikasteki ekota; pikowacayihk takii pimacihocik miina anihi apacithawina takiskinomakanowahk. Anapiiyak; asamak; waskawikana; pahekinohewin; maataykana; ciimana; atim*

osakahpisowin; mohkotakan; Aspiscikanak (ball spear for pinewak); askimacikan; waposiwan; nakamowina; anapii wapinewak ta osci nakotithcik (kaskaskos isowepina koonihk); ciikaykana; asisoy (toyikan ta ostanowahk); wapiski ciimana, ascapii; akaskwak; tahoyikan akwa apoyak asici); pakowanikamikwaw kita ostacik; tihinakana; askiia ka tahopisot awasis; napaki ocapanaskosak; pastepicikana; kotawan ta ostacik; ponikewin takiskinomakaniwahk; niwaykanak, wahona, niipisiiscakosa, paahatowewin takiskinomahcik; metawakana – siisiikonisk (pinew ocakisiis); ininiihansak; sosoman; ciwekanak; potacikanisa; asici kotakiya kekwana kita ta ati wiithcikateki picenak.

The skills of pimacihowin are to be taught such as uses of tools, plants, trees, medicines, foods, conservation, governance, navigation, ceremonial associations, and others to be identified. With respect to Pikowacayihk Pimacihowin, the following examples are listed, for further clarity on the meaning of relevant activities to be included for the purpose of ensuring culturally appropriate service delivery through providing parents, children, and families the opportunity to learn the skills of ininiwi pimacihowin:

Nets, snowshoes, log homes, leather making, leather scraper, boats, dog team harnesses, planers, ball spears for grouse hunting, weaving needles, rabbit fur blankets, songs, ptarmigan nets, axes, ice chisels, canoes, bows, arrows, keels and oars, tents, cradleboards, moss bags and moss for child care, flat bed toboggans (sleds), slingshots, hearth making fire making, dried fish, fish eggs, kindling, ball games to be taught, toys such as rattles made from grouse innards, dolls, snow spears, sound and spinning tops, whistles, ceremonial protocols including grief and loss, seasonal teachings, environmental care and kinship, and others to be identified.

b) Counselling and Family Educational Services

Kawii Pimohtatacik shall ensure the development and delivery of sustainable counselling and educational services for families and children on the functions and purpose of this Law, traditional child and family caring approaches, child development, prevention and support programs to work with youth-at-risk, issues of MMIWG, Unmarked Graves, and other issues of colonization that impact children and families. It will work collaboratively with, and prevent duplication of services for, established programs and gatherings, including Oniisohamakewin Ohpikihawasowin and Pikowacayihk Pimacihowin.

c) Residential and Treatment Services

Kawii Pimohtatacik shall ensure development, operation, and regulation of family wellness centers, treatment centers and other specialized residential facilities within Norway House Cree Nation Reserves, territory and NFA Resource area. Kawii Pimohtatacik shall ensure licensing and regulation under this Law of individuals or organizations that propose to operate a residential group facility for children, youth and families.

tripartite Agreement between Norway House Cree Nation, Canada and Manitoba, formerly known as “Kinosao Sipi Minisowin Agency” (the Agency).

6.2 Duties of the Executive Director

The Executive Director of Oniisohamakewin Ohpikihawasowin shall:

- a) Report to Oniisohamakewin Ohpikihawasowin’s Board of Directors to ensure independence of Oniisohamakewin Ohpikihawasowin.
- b) Reporting to the Board of Directors, the Executive Director is responsible for the overall management of the day-to-day operations of Oniisohamakewin Ohpikihawasowin to ensure the purposes of Oniisohamakewin Ohpikihawasowin are fulfilled in accordance with this Law.
- c) Subject to the Regulations, the Executive Director may delegate to any person or class of persons any or all powers, duties, or functions of the Executive Director under this Law. A delegation of the Executive Director’s powers under this section must be in writing and may include any terms or conditions the Executive Director considers advisable.
- d) Receive reports and initiate an investigation where there are reasonable grounds to believe that a child is in need of protection.
- e) Authorize Oniisohamakewin Ohpikihawasowin workers to enter premises to perform a well-being check where they have reasonable grounds to believe a child’s safety is a concern.
- f) Maintain as wards of Oniisohamakewin Ohpikihawasowin children currently in care of the Kinosao Sipi Minisowin Agency, where the children are members of, or affiliated with, Norway House Cree Nation and/or accepted as wards by Oniisohamakewin Ohpikihawasowin.
- g) Establish by regulation under this Law the policies and procedures for assessing the need for investigations, protection, the taking of children into alternate care, and the maintenance of wards and children in alternate care.
- h) Establish and facilitate a working relationship with Kamamiinohemocik.
- i) Ensure that, in the context of providing Child and Family Services in relation to a child, unless immediate taking the child into care is consistent with the Best Interests of the

Child, before removing a child who resides with one of the child's Parents or another adult member of the child's Family, the Director must demonstrate that Oniisohamakewin Ohpikihawasowin have made reasonable efforts, including the provision of all applicable prevention services, to have the child continue to reside with that person.

- j) Ensure financial supports are made available to provide for the daily and long-term needs of children in alternate care and to provide support for their caregivers.
- k) Ensure services for children with disabilities and high needs will receive an extension of services beyond the age of majority where warranted.
- l) Ensure prevention-focused services include preventive support for parents, kinship caregivers, and siblings of children receiving specialized medical supports and who may be at risk of family breakdown and children coming into care.
- m) Ensure the licensing and regulation of alternate care homes including medical needs related alternate care homes, group homes, youth and childcare facilities, and other related services as needed.
- n) Ensure that Kamamiinohemocik has reviewed the incident(s) details, including incidents involving abandonment and lack of supervision and has provided a recommendation before a final decision to place the child in alternate care is rendered.
- o) Ensure that, to the extent that it is consistent with the Best Interests of the Child, the child is not taken into alternate care solely on the basis of the Family's socio-economic conditions, including poverty, lack of adequate housing or infrastructure and/or the state of health of the Parent(s) or Care Provider.
- p) Where it is consistent with the Best Interests of the Child, ensure Prenatal services are to be given priority over other services in order to prevent the taking into alternate care of the child at birth.
- q) Ensure the Decision Standards are implemented and adhered to.
- r) Coordinate with other Norway House Cree Nation departments and services, including Jordan's Principle services, other Child and Family First Nations services and agencies, Metis, Inuit and Provincial service providers, to ensure that there is no duplication of services and to ensure that substantive equality principles are met.
- s) Ensure that in the context of a civil proceeding in respect of the provision of child and family services in relation to a Norway House Cree Nation child, the child's parent(s) and

the care provider are made aware in a timely manner of their right to make representations and to have representative status, and are provided with supports to enable the exercise of their right and ensure that the Chief and Council is informed of the proceeding in order to enable their right to make representation on behalf of the Norway House Cree Nation.

- t) Ensure that coordination and service delivery of prevention focused child and family services include the following:
 - i. Where involuntary placement in temporary alternate care is required for a child(ren) whose safety is a concern, decisions on next steps to ensure the child's safety shall strive to be made in less than 7 days, where circumstances permit, but cannot exceed 14 consecutive days. A decision to return the child to the same caregivers, or placing the child in alternate care for a specified period, shall be completed within the 14 days.
 - ii. Financial support, akin to federal maintenance for children in care, emergency supports, and other supports as warranted, will be available to support children and their families and/or caregivers.
 - iii. A process of critical incident reporting and related information sharing shall be developed.
 - iv. In the event of a child death, where one or both parents are members of Norway House Cree Nation, the parents are to be notified immediately. Parents will decide on the location and the burial, or internment protocol, of the child.
 - v. In the event of a child death, a copy of the medical examiner's report is to be provided to the Norway House Cree Nation Chief and Council.
- u) Ensure that where notice of availability for adoption or an application for adoption is made, regarding a child who is a member of Norway House Cree Nation or is affiliated with Norway House Cree Nation, an immediate thorough assessment will be conducted by Oniisohamakewin Ohpikihawasowin.
- v) Ensure Norway House Cree Nation Members(Citizens) and the general public are made aware through information and education campaigns of Oniisohamakewin Ohpikihawasowin's mandate and services.

Regulation has the force of law

7.2 Every regulation or order made under this section has the force of law.

Establishment of Kawii Pimohtatacik (Board of Governors)

7.3 Kawii Pimohtatacik shall be established as the authoritative body responsible for the implementation of Kinosao Sipi Minoyawin Family Services which will develop and deliver services established under this Law, and shall ensure the appropriate implementation and adherence to this Law; and:

- a) Shall operate independently from the Council and any other governing bodies of the Norway House Cree Nation, ensuring impartiality in all proceedings.
- b) Kawii Pimohtatacik shall operate independently from the Council and any other governing bodies of the Norway House Cree Nation, ensuring impartiality in all proceedings.
- c) Members of Kawii Pimohtatacik, acting in their official capacity, shall not be held personally liable for any action, decision, or omission made in good faith in the course of their duties. This section does not protect against liability for actions taken in bad faith, gross negligence, or willful misconduct.

Composition of the Kawii Pimohtatacik

7.4 Kawii Pimohtatacik shall consist of eight (8) Norway House Cree Nation members between the ages of thirty (30) and seventy-five (75) years to serve a term of four (4) years.

7.5 Four (4) members shall be elected at a General Band Meeting and four (4) shall be appointed by Council.

Kawii Pimohtatacik Requirements

7.6 To be eligible for membership on Kawii Pimohtatacik, an individual must meet all the following requirements:

- a) Be between the ages of thirty (30) and seventy-five (75) years of age.

- b) Be a member of the Norway House Cree Nation.
- c) Have a basic understanding of the Cree language or demonstrate a willingness to learn it during the term of office.
- d) Have a strong understanding of the values, traditions, and governance of the Norway House Cree Nation.
- e) Reside on or within 25 kilometers of Norway House Cree Nation Reserve #17.
- f) Not be a current employee of Kinosao Sipi Minoyawin Family Services.
- g) Not have any pending criminal charges or have been convicted of a criminal offence within five (5) years prior to their election or appointment to Kawii Pimohtatacik.
- h) Not currently be listed on a Child Abuse Registry or Adult Abuse Registry.

Kawii Pimohtatacik Appointment Procedures

7.7 Four (4) members, shall be appointed by Council. These appointed members shall serve for a term of four (4) years and shall be appointed by Band Council Resolution.

7.8 An appointed Kawii Pimohtatacik member may be removed for misconduct, incapacity, failure to perform duties, criminal conviction, or excessive absences. and violations of the Code of Conduct:

- a) A motion for removal may be initiated by the Council or the remaining Kawii Pimohtatacik members. The motion must be supported by a majority of Council.
- b) The member shall be notified in writing of the reasons for removal and given the opportunity to respond.
- c) The matter shall be presented at the next duly convened Council meeting, for ratification.

7.9 In the event that an appointed member of the Kawii Pimohtatacik resigns, is removed, or is otherwise unable to complete their term, Council shall appoint a replacement member to serve the remainder of the term, if the term is not ending in less than 3 months.

Kawii Pimohtatacik Election Procedures

7.10 Four (4) members shall be elected by the Electors present at a General Band Meeting. These elected members shall serve for a term of four (4) years. The election of the four (4) members shall be conducted at a General Band Meeting, called by the Council and held specifically for this purpose. The Council shall appoint someone to conduct Kawii Pimohtatacik election(s) as required.

7.11 Notice of the election shall be provided at least 30 days prior to the General Band Meeting. The notice shall include the date, time, and location of the meeting, as well as information on the nomination process.

7.12 Rules for the election of Kawii Pimohtaticik shall include that:

- a) Any **Elector** may be nominated for election to Kawii Pimohtatacik and if elected, must meet the requirements of **Section 7.6** for their election to stand.
- b) Nominations must be submitted in writing at the General Band Meeting and each candidate must have two nominators who are themselves Electors.
- c) Each Elector in attendance shall have one vote for each of the four (4) positions on Kawii Pimohtatacik and voting shall be conducted by secret ballot.
- d) The four (4) candidates receiving the highest number of votes shall be declared elected to Kawii Pimohtatacik.
- e) In the event of a tie, a run-off election shall be held immediately to determine the final members.
- f) In the event an elected member does not meet the requirements, the person with the next highest votes will be deemed elected.

7.13 Council shall cause and oversee the following procedures:

- a) A copy of the Norway House Cree Nation Ininewi Wanasiweywin will be provided to those individuals seeking nomination and shall be published on the Norway House Cree Nation website and other such places as deemed appropriate.
- b) Consistent with the governance practices of Norway House Cree Nation, the Chief and Council shall convene a General Band meeting, ensuring public notice of the date, time, and location is posted at a minimum of thirty (30) days in advance of the meeting, to select the governing body to be known as Kawii Pimohtatacik by simple majority vote of the Members present.

- c) Council shall ratify the voting results at their next duly convened meeting, appoint four (4) members, notify the four (4) successful elected candidates and cause the publication of the successful candidates and the names of the appointed members in the same locations as the nomination notice.

7.14 An elected Kawii Pimohtatacik member may be removed for misconduct, incapacity, failure to perform duties, criminal conviction, or excessive absences. and violations of the Code of Conduct:

- d) A motion for removal may be initiated by the Council or the remaining Kawii Pimohtatacik members. The motion must be supported by a majority of either the Council or the remaining Kawii Pimohtatacik members.
- e) The member shall be notified in writing of the reasons for removal and given the opportunity to respond.
- f) The matter shall be presented at the next duly convened Council meeting, for ratification.
- g) If an elected member of the Kawii Pimohtatacik resigns, no longer complies with the residency requirement, is removed, or is otherwise unable to complete their term, a by-election shall be held at the next General Band Meeting to fill the vacancy for the remainder of the term; if the length of the remaining term is greater than 3 months.

7.15 Kawii Pimohtatacik shall:

- a) Appoint one of their eight (8) members as Chair to oversee proceedings and ensure adherence to procedural rules, including:
 - i. Ensuring a quorum of four (4) members are present in a formal meeting.
 - ii. Ensuring appropriate notification to all members of the date, time and place of the meeting.
- b) The Chair will vote only to break a tie.
- c) Additional rules of formal meetings shall be developed within the first three weeks of Kawii Pimohtatacik establishment.
- d) Procedural rules and an orientation manual for Kawii Pimohtatacik members shall be completed within 6 months of Kawii Pimohtatacik establishment.

Duties of Kawii Pimohtatacik

7.16 Kawii Pimohtatacik shall:

- a) Establish Kinosao Sipi Minoyawin Family Services.
- b) Maintain its head office on the Norway House Cree Nation Reserve #17.
- c) Maintain an email address, mailbox and a call number and ensure that this information is available to all Norway House Cree Nation members.
- d) Ensure the appropriate implementation of this Law.
- e) Ensure the appropriate adherence to this Law.
- f) Ensure the mandate of Oniisohamakewin Ohpikihawasowin takes effect on the date this Law is enacted and the posting of public notices of same, including in any public registry maintained by Canada and the provinces and territories.
- g) Ensure the establishment of an independent Board of Directors to oversee the functions of Ohpikihawasowin Oniisohamakewin and hire its Executive Director.
- h) Ensure the hiring of a manager to provide support and coordinate Onahawinikewak (the Tribunal) and its functions.
- i) Ensure the establishment of Kamamiinohemocik.
- j) Ensure the Coordination Agreement is maintained.
- e) Employ an individual to serve as Director of Kinosao Sipi Minoyawin Family Services (the Director) to establish the administrative structures, hire and oversee the managers of Pikowacayihk Pimacihowin, Onahawinikewak, and other coordination staff to assist with the functions of other specialized services to be developed and implemented.

Duties of the Director

7.17 Reporting to Kawii Pimohtatacik, the Director is responsible for the overall management of the day-to-day operations of Kinosao Sipi Minoyawin Family Services to ensure the purposes of the Norway House Cree Nation are fulfilled in accordance with this Law.

7.18 The Director may delegate to any person or class of persons any or all powers, duties, or functions of the Director under this Law. A delegation of the Director's powers under this section must be in writing and may include any terms or conditions the Director considers advisable.

The Director shall:

- a) Immediately implement a collaborative development with Oniisohamakewin Ohpikihawasowin of culturally appropriate assessment tools which shall be phased in and which will take into account the Indian Residential School, Day Schools, Boarding Schools and other sources of intergenerational traumas and effects of colonization.
- b) Shall work with Kawii Pimohtatacik to develop the Code of Conduct, policy and procedures Manuals, training plans and protocol guides to guide staff, Norway House Cree Nation members, and external resources and partners.
- c) Develop a thorough policy and procedure of appeal mechanisms that will allow families to appeal decisions pursuant to this Law and recognizing the role of Onahawinikewak.
- d) Present an annual detailed report, during a General Band Meeting convened by Norway House Cree Nation Chief and Council, regarding implementation and progress of services under this Law, including details of the annual audit of funds pertaining to this Law. At this meeting, the general conditions and future of Norway House Cree Nation's children will be discussed with the Members present.
- e) Maintain the fiscal year of Kinosao Sipi Minoyawin family services as the period from April 1st of each year to March 31st of the following year.

Establishing Kehteyak (Elders Advisory)

7.19 The Elders Advisory, known as Kehteyak, shall continue to act in an advisory role to the Norway House Cree Nation Chief and Council in the implementation of the Law and shall:

- a) Include active members of the Norway House Cree Nation Elders' Advisory, and new Elders, as needed, will be appointed by Norway House Cree Nation.
- b) Assist the Norway House Cree Nation Chief and Council in the development of the Terms of Reference for Kawii Pimohtatacik and for the functions of Onahawinikewak, Otayamiistamakew, and other related functions, as needed.

- c) Act in an advisory role to Kawii Pimohtatacik during the first four (4) years of implementation or longer if needed, but for no longer than seven (7) years.

Establishing Onahawinikewak (the Tribunal)

7.20 Onahawinikewak, a tribunal to provide an alternate dispute resolution system consistent with our traditional procedures, is recognized and convened under this law. Decisions made by the Onahawinikewak shall be conclusive and not subject to review by any court or tribunal, including any questions of fact or law.

Onahawinikewak shall:

- a) Be comprised of twelve (12) members of Norway House Cree Nation, six (6) of whom are female and six (6) are male; who are at minimum fifty (50) years of age and who will be selected through a fair and reasonable application process provided by Norway House Cree Nation Chief and Council.
- b) Be appointed by through Council Resolution 3 months before enactment of this Law.
- c) Be provided with competitive annual salaries and benefits.
- d) Be provided with office and support staff as needed, including reception area service, assistants, interpreters, counsellors, mediators, security, and clerical staff to ensure professional service delivery, including the recording, transcribing, and interpretation of minutes and proceedings, file maintenance and other necessary supports.
- e) Onahawinikewak shall conduct hearings and adjudicate all matters as well as any other issues or disputes contemplated or authorized by the Law.
- f) Replace the functions of Provincial Family Courts to the fullest extent possible as Onahawinikewak has specific knowledge that an outside court does not.
- g) Be responsible for reviewing any evidence and ensuring it has all the information it needs to make a decision.
- h) Conduct hearings of the Onahawinikewak using sharing circles, healing circles, mediators and other facilitators as needed, with a primary goal of arriving at a mutual agreement with the families involved.
- i) When agreement is not reached by the families, including decisions on the care of children, the decisions of Onahawinikewak are final.

7.21 In the context of a civil proceeding in respect of the provision of child and family services in relation to a Norway House Cree Nation child, Norway House Cree Nation Chief and Council has the right to make representations.

7.22 Norway House Cree Nation will develop further detailed governance standards, pertaining to this law, as soon as practicable after the of enactment of this law.

SECTION 8 *Koyask Isiihcikewin ᑕᑭᑦᑎᑦ ᐃᑭᑦᑎᑦᑕᑦᑎᑦ*
Decision Standards

8.0 *Omisi kitayisi kanawapathcikatek ewanasiwanowahk*

Decisions under this law shall strive to do the following:

- a) *Tamanaci othtinith awasis wiikihk osci*
Prevent removal of children from their homes.
- b) *Tawiicihicik Kinosao Siipii ininowak awasime kita tasohastacik ominisowiniwaw*
Help Norway House Cree Nation people to further strengthen their families.
- c) *Kita wiicihicik awasisak miina oniikikomawak kita nitawihocik*
Help Norway House Cree Nation children and their families to heal from past traumas.

8.1 *Tansi ke isi kanawapahcikatek ispii kawii otinith awasis:*

Parameters of taking a child into alternate care, where it is consistent with the Best Interests of the Child:

- a) *Mona kitimakisiwin ahpo nohtepanowin kita apacihtanowan ta otinith Awasis.*
Poverty and economic hardship shall not be a factor of taking children into alternate care.
- b) *Miina kapakamiskakot wiitikemakana ka itahamikisinit: Mona kita apacithtanowan wiitikwemaka ka itahamikisinit kita ohtinimiht awiyak ocawasimisa (tapiskoc ka macapacistanit minihewin akwa macimaskihiisa)*
The actions of persons other than the primary caregiver shall not be a factor of taking children into alternate care; including the actions of secondary caregivers who engage in alcohol and drug abuse.
- c) *Oscitaw poko kita wiicihit ana awiyak kapimi ohpikihawasot akwa ka pakamiskakot ohitowiihkan kekona eka kita otinimiht awiyak ocawasimisa*
Parents and caregivers who are affected by poverty, economic hardship, and/or the harmful actions of secondary caregivers must be provided supportive services to prevent their children from coming into alternate care.
- d) *Oniikiikomawak poko oscitaw kita nitohtahcik ispii ewanisiwacikatek kekon ocawasimisowawa osci*
Parents will have the opportunity to participate in decisions about their children.

- e) *Ininowak osisimowawa eka wiinawa tipinaw kapamihacik wiistawaw kita nitohtawawak ispii ewanisiwacikatek kekwan osisimowawa osci*
Grandparents will have the opportunity to have their views heard and considered in decisions about their grandchildren.
- f) *Tawaw kita natamasot oniikiikomaw miina awiiyak ominisowin kapakamiskatenik oma wanasiwewin ocawasimisiwawa osci. Onahawinikewak iskawac kita wanasiwatamowak.*
Parents and families are entitled to appeals of decisions affecting their children and families. Where appeals have been exhausted, the matter shall be referred to the tribunal known as Onahawinikewak.
- g) *Ispii ka otiniht Awasis piitos ite kayaniht, poko kita pimitisahikatek kayisi wanastanowahk ota wanasiwewinihk.*
Where a child is placed in alternate care, placement priority must comply with this Law.
- h) Where it becomes necessary to place a child in alternate care, sibling groups are not to be placed in separate homes.
- i) Where there are reasonable grounds for concern about the safety of a child and where possible through provision of supports to maintain the parent–child bond from birth while ensuring the child’s safety, a child shall remain with the birth parent during the first year of life to promote healthy relationship attachment and as long as possible thereafter.
- j) Where a child is in the custody of the Executive Director of Ohpikihawasowin Oniisohamakewin, the child may be adopted in accordance with the customary adoption practices of the Norway House Cree Nation and such an adoption terminates any other order, agreement, or rights held in any other jurisdiction with respect to the child.
- k) To ensure culturally appropriate service, culturally appropriate assessment tools shall be developed which will take into account the Residential School current and historical impacts.

Priority of Placement

8.2 The placement of a Norway House Cree Nation child in alternate care, in the context of providing child and family services in relation to the child, to the extent that it is consistent with the Best Interests of the Child, is to occur in the following order of priority:

- 1) With one of the child's parents
- 2) With an adult sibling
- 3) with one of the child's grandparents
 - a) who resides on or within 25 kilometers of the Norway House Cree Nation Indian Reserve #17
 - b) who lives within the Norway House Cree Nation Northern Flood Agreement Resource area
 - b) who lives in Treaty 5 area
 - c) who lives in Manitoba
- 4) With an adult aunt or uncle
 - a)) who resides on or within 25 kilometers of the Norway House Cree Nation Indian Reserve #17
 - b) who lives within the Norway House Cree Nation Northern Flood Agreement Resource area
 - b) who lives in Treaty 5 area
 - c) who lives in Manitoba
- 5) With another adult family member
 - a)) who resides on or within 25 kilometers of the Norway House Cree Nation Indian Reserve #17
 - b) who lives within the Norway House Cree Nation Northern Flood Agreement Resource area
 - b) who lives in Treaty 5 area
 - c) who lives in Manitoba
- 6) With an adult Band member of Norway House Cree Nation
 - a)) who resides on or within 25 kilometers of the Norway House Cree Nation Indian Reserve #17
 - b) who lives within the Norway House Cree Nation Northern Flood Agreement Resource area
 - b) who lives in Treaty 5 area
 - c) who lives in Manitoba
- 7) With a member of a Cree Indigenous group in Treaty 5 territory
- 8) With an adult who belongs to a Cree Indigenous group and resides in the Province of Manitoba.

Notice of significant Measure

8.3 Requirements for the provision of a Notice of significant Measure include that:

(a) In the context of providing Child and Family Services in relation to a child, to the extent that doing so is consistent with the Best Interests of the Child, before taking any significant measure in relation to the child, the Agency must undertake best efforts to provide notice of the significant measure to the child's Parent(s), Care Provider and the Indigenous Governing Body, Norway House Cree Nation.

(b) The Agency must ensure that the notice provided does not contain personal information about the child, a member of the child's Family or Care Provider, other than information that is necessary to explain the proposed significant measure, or that is required by a Coordination Agreement.

c) Norway House Cree Nation Chief and Council have designated Oniisohamakewin Ohpikihawasowin (formerly known as Kinosaosipi Minisowin Agency) as the recipient of any notice of significant measure to be provided to Norway House Cree Nation, pursuant to Section 12(1) of *An Act relating to First Nations, Inuit and Métis children, youth and families*.

d) For a child who is not registered with Norway House Cree Nation, Oniisohamakewin Ohpikihawasowin shall provide a notice of significant measure to the Indigenous Governing Body with whom the child is registered.

e) For the purposes of this Law, agencies that are providing services to any children or families who are registered with Norway House Cree Nation shall provide notice of any significant measure to its delegate, Oniisohamakewin Ohpikihawasowin, at the occurrence of each Notice Indicator.

f) **Notice Indicators** are incidents or occurrences that require a Notice of Significant Measure. Notice to Norway House Cree Nation's designate, Oniisohamakewin Ohpikihawasowin, shall be provided at the following incidents or occurrences:

1. There is receipt of a referral or report for which the child and family service agency or authority is opening a protection investigation or that contributes to an existing protection investigation.
2. The outcome of a protection investigation is completed.
3. A potential or actual involuntary change to where the child lives is being considered.

4. There is a consideration of a change of legal custody or of any type of adoption whether customary, private, public or other type of adoption.
5. There is consideration of a file transfer to another agency, or consideration of potential closure of file or a termination of services.
6. A serious incident occurs involving the child, including confirmed or suspected abuse or maltreatment, serious criminal conduct, significant injury, self-harm, missing person or death, and including anything that requires reporting of a critical incident to the Manitoba Child Advocate or equivalent entity in other Provinces and Territories.
7. A complaint is filed in relation to child and family services provided in the matter, including a complaint filed by the child, parent, or other person.

SECTION 9 *Nanatohk Kekona* ᓇᓇᓂᓐ ᓱᓂᓇ **General Provisions**

9.0 Preservation of Canadian Human Rights Tribunal-Related funding:

The Norway House Cree Nation recognizes the importance of maintaining and protecting funding allocated as a result of Canadian Human Rights Tribunal decisions, particularly those related to First Nations' child and family prevention services and Jordan's Principle.

Any funding received by the Norway House Cree Nation in relation to Canadian Human Rights Tribunal decisions on First Nations child and family services, including but not limited to prevention services and Jordan's Principle funding, shall be:

- a) Maintained at levels no less than those established by such decisions;
- b) Protected from federal reallocation or reduction within the overall funding structure; and
- c) Used in accordance with the spirit and intent of the relevant Canadian Human Rights Tribunal decisions.

The Norway House Cree Nation shall actively engage with federal and provincial governments to ensure the continuity and adequacy of this funding in alignment with the Canadian Human Rights Tribunal's decisions and the principle of substantive equality in First Nations' child and family services and Jordan's Principle.

9.1 Prevention Funding for Kinosao Sipi Wanasiweywin Family Law (Norway House Cree Nation Family Law) Services

Funding Commitment for Prevention Services

The funding provided to support prevention services under this Law shall not be less than the amount required to achieve substantive equality for First Nation families and children. Substantive equality is understood to mean funding that addresses historical disadvantages and systemic inequities experienced by First Nation families, ensuring equitable outcomes when compared to non-First Nation families.

Parity with Non-First Nation Agencies

The funding allocated shall, at a minimum, match the highest level of funding currently provided to non-First Nation agencies or Indigenous Governing Bodies (IGBs) delivering similar child and family prevention focused services, ensuring parity and fairness in addressing the needs of First Nation communities.

9.2 Inflation Adjustment

To ensure the adequacy of funding over time, the funding amounts provided under this Law shall be adjusted annually to account for inflation and any increases in the cost of living. These adjustments shall be based on a recognized and reliable inflation index to maintain the real value of the funding provided.

9.3 Registration of Child with Norway House Cree Nation:

Tipenitakosowin omisi kitayisi kanawapathcikatek: Okawia ota Kinosao Siipiih ka osci tipenitakosit ota wiista ana awasis kita piithtikwe masinahow.

Registration of a Norway House Cree Nation Band Member (Citizen) includes that, where the birth mother (who wishes to register the child) is a member of the Norway House Cree Nation, the child shall be immediately registered as a member of Norway House Cree Nation. This section shall not be construed as obstructing parents who wish to register their child with another First Nation to whom the child may be affiliated.

9.4 All services under this law must promote and provide supports for the revitalization of Norway House Cree Nation's Ininiimowin language which is essential for upholding the principle of cultural continuity for children and families.

9.5 Orders under provincial child and family service laws to designate Norway House Cree Nation children as permanent wards of agencies and associated entities, will immediately cease to be ordered.

9.6 Implementation of this law

This law shall be implemented on general timelines set out in the Coordination agreement.

9.7 Written versions of this law

This law is written in Norway House Cree Nation's language of ininiimowin with English translation and in some parts only in English, to facilitate ease of use by non-ininiimowin speakers. Syllabic and Standard Roman Orthography versions shall be available at the NHCN website and offices upon enactment.

9.8 Audits

Kinosao Sipi Minoyawin Family Services will provide an annual audit report to Norway House Cree Nation Chief and Council, to be appended to the Norway House Cree Nation annual audit, and provided to funders pursuant to the Coordination agreement.

9.9 Funding:

For all operations, child maintenance, programming and services provided by Kinosao Sipi Minoyawin Family Services and based on the principles of Treaty 5, equity and investment in children:

- a) Kinosao Sipi Minoyawin Family Services will receive funding directly from the federal and provincial governments as agreed pursuant to a Coordination Agreement between Canada and Norway House Cree Nation to be negotiated from time to time.
- b) For further clarity, any funding received from the federal and provincial governments by Kinosao Sipi Minoyawin Family Services shall not be used for debt reduction of the Norway House Cree Nation.
- c) Canada may seek to obtain contribution from the provincial government for operations, child maintenance, programming and services and capital and infrastructure, for Kinosao Sipi Minoyawin Family Services at no financial penalty to Kinosao Sipi Minoyawin Family Services.
- d) Any funding provided by Canada through the Act and any funding agreement derived from the Coordination Agreement shall not limit, prevent, prohibit nor disallow Norway House Cree Nation and Kinosao Sipi Minoyawin Family Services from accessing any other funding program or services available from Canada and Manitoba; and
- f) Kinosao Sipi Minoyawin Family services may also accept funding directly from any other agencies, entities, trusts, individuals, or First Nation organizations.

9.10 Borrowing and Guarantees

- a) Kinosao Sipi Minoyawin Family Services and its various departments shall not give any guarantees nor borrow from or lend any money to any entity, Band Member, person, member of Council, Director or any Norway House Cree Nation department.
- b) The Kinosao Sipi Minoyawin family services shall not provide any bridge financing to support the debt, programs or services of the First Nation, and any department of the First Nation.
- c) The Kinosao Sipi Minoyawin family services shall, indemnify;
 - i. A present or former Executive Director or officer of the KSMA;
 - ii. A person who has acted or acts at the request of the Kinosao Sipi Minoyawin family services;
 - iii. An employee or former employee of the Kinosao Sipi Minoyawin family services unless that employee has not acted honestly and in good faith and has not acted with a view to the best interests of the Kinosao Sipi Minoyawin family services; and
 - iv. Shall not provide indemnities other than those authorized in this Law and its Regulations.

9.10 No liability

Norway House Cree Nation and Kinosao Sipi Minoyawin Family services are not liable for past, present, or future actions of Canada, Manitoba or other entities.

SECTION 11 *Nahawinikewina* ᓇ"ᐱᐃᓂᑦᐱᓇ
Regulations

11.0 Council will ensure individuals appointed or elected to Kawii Pimohtatacik, Onahawinikewak, Otayamiistamakew, Kehteyak, or other similar entities under this law:

- a) Do not have a criminal record.
- b) Are not on any child abuse registry or vulnerable persons abuse registry.
- c) Are fluent in the Cree language or be willing to learn the Cree language during their term of office
- d) Reside on or within 25 kilometers of Norway House Cree Nation Reserve #17.
- e) Are able to perform their duties.
- f) Abide by the Code of Conduct.

11.1 Norway House Cree Nation may make regulations:

Without restricting the generality of the foregoing, the Norway House Chief and Council may cause the development and implementation of such regulations and general orders as are consistent and supplementary with any other provision of this Law, including:

1. Setting forms for the purposes of this Law.
2. Providing for the classification, establishment, designation, regulation, registration and licensing of residential care facilities including, without limitation:
 - a) The conditions to be met and maintained to obtain, retain, or renew a license.
 - b) The conditions for suspension and cancellation of licenses.
 - c) The keeping of records.
 - d) Inspection of facilities and records and the information, documents or reports of residential care facilities.
 - e) Setting the conditions under which residential care for families and their children may be provided.
3. Setting fees under this Law.
4. Setting standards for the operation of treatment centers and other residential care facilities.

5. Establishing guidelines for any agreement for determining the amount of maintenance to be paid for a child by an external agency or service who is a guardian of the child.
6. Setting the action to be taken by the Executive Director upon notification of a child needing protection.
7. Setting procedures for the maintenance and operation of registries established pursuant to this Law.
8. Setting details relating to the qualifications to be met by persons who provide services to or for Kinosao Sipi Minoyawin Family services.
9. Matters relating to reporting incidents that require a Notice of Significant Measure including the contents of reports, the time periods for reporting, and the form and manner of reporting.
10. Matters relating to requests and statements for relevant proceedings including information that must be included in a statement and the form a statement must take.
11. Matters relating to access to information contained in the files of Oniisohamakewin Ohpikihawasowin or a reporting entity.
12. Matters relating to the retention, storage and destruction of records in the custody or control of Oniisohamakewin Ohpikihawasowin or another reporting entity.
13. Matters relating to the establishment, policies, and procedures of child abuse Committees.
14. Setting the procedures of Kinosao Sipi Minoyawin Family Services
15. Establishing procedures for the purpose of receiving reports of child pornography.
16. Matters relating to arrangements to access an electronic information system.
17. Matters relating to reports to the Norway House Cree Nation Chief and Council and Norway House Cree Nation members including the form and contents of the reports and the manner in which they are made.
18. Matters relating to services developed under this law that shall continue to be provided beyond the implementation phase.
19. Matters relating to all services that will be designed to help restore our way of Ininiwi Minoyawin through development of healing centers and programs to assist the strengthening of families through recovery from the effects of residential schools, day schools, boarding homes, the 60s scoop, unmarked graves, and other effects of racism and colonization.
20. Matters relating to our places of education and service that are in operation or to be developed under this law, such as Pikowacayihk Pimacihowin, schools, daycares, parenting supports, and family healing services, to support the teaching of Norway House Cree Nation's children and families in our language and teach them about the true history of Norway House Cree Nation in keeping with our inherent rights and to strengthen parenting skills.

21. Matters relating to our child and family services and family healing services that will create and deliver ininiimowin immersion camps, and other services for families and children to augment our education systems and empower families to support their children in language restoration and retention.
22. Matters relating to family treatment centers and other similar supports that will include traditional healing services.
23. Matters relating to child abuse registries, critical incident reports, and information in the public interest that speaks to community safety such as convicted sex offenders returning and/or remaining in community.
24. Matters relating to governance standards of this law to ensure regulations are consistent with the United Nations Declaration on the Rights of Indigenous People.
25. Matters relating to inter-nation agreements regarding the care of children.
26. Terms of reference consistent with this law relating to governance functions and the functions of Kinosao Sipi Minoyawin Family Services and other boards and committees as needed.
27. The creation of groups and committees, as needed, to oversee licensing and mandating services and service structures such as group homes, treatment facilities, and other services to be identified.
28. The process to void active permanent ward orders concerning Norway House Cree Nation children.
29. Decision and service standards that include Appeal processes.
30. Interpretive guides pertaining to this Law and Kinosao Sipi Minoyawin Family Services.
31. Implementing annual evaluations of services.
32. Implementing periodic organizational reviews where the first complete organizational review will be conducted within 5 years of this enactment.
33. Set rules respecting the form and content of forms, notices, and reports that are required or permitted under this Law.
34. Set penalties.
35. Set parameters to confirm willingness and compliance of employees and various panel members (e.g. commitment to learning the Cree language).
36. Ensuring inclusion within the Norway House Cree Nation Emergency Plan of Kinosao Sipi Minoyawin Family Services and all its departments and services.
37. Other elements as required.

SECTION 12 *Ta Isi Wiihtamakek* ᑕ ᐃᑭ ᐃᑦᑕᑎᐱᑦ ᐃᑦᑕᑎᐱᑦ
Communications

12.0 The Norway House Cree Nation may enter into agreements with Canada and a provincial government and any Indigenous governing body regarding the collection, retention, use and disclosure of information relating to the child and family services that are provided in relation to Norway House Cree Nation children in order to, among other things:

- (a) ensure that Norway House Cree Nation are identified and that their communities of origin and those of their parents are identified, when possible, when child and family services are provided in relation to them;
- (b) support the improvement of those services; and
- (c) facilitate the disclosure of that information to affected families and communities.

12.1 Law prevails

If a provision of this Law is inconsistent or in conflict with a provision of The Freedom of Information and Protection of Privacy Act, the provision of this Law prevails.

12.2 Right to all information

Norway House Cree Nation has a right to all information required to administer this Law.

12.3 Norway House Cree Nation shall develop and expand on Regulations pertaining to:

- a) Access to information including child abuse registries, Norway House Cree Nation children in other agency care, other non-Norway House Cree Nation children in alternate care and public interest access to general information.
- b) Storage of information regarding retention of records, location and means of storage.
- c) Creating portals and safeguarding/granting access to portals housing the information of both public and private information within Norway House Cree Nation and its entities.
- d) Parameters of information sharing between Norway House Cree Nation and other entities such as Indigenous Governing Bodies, federal, provincial, and other governments; including that Norway House Cree Nation's access to information

includes Norway House Cree Nation band lists and population statistics such as health, crime, and other statistics for planning maintained by Canada.

12.4 Disclosure

Circumstances when disclosure is permitted include:

- a) when required to administer this Law;
- b) when reasonably required to provide or to plan for the provision of child and family services to the person the information is about or who is the subject of the record containing the information;
- c) when reasonably required to protect a child;
- d) when required in order to give evidence in court;
- e) by order of a court;
- f) for research purposes in accordance with regulations to be developed by Norway House Cree Nation.

12.5 Publication of this law

Norway House Cree Nation shall ensure the publication of this law online or in another accessible manner.

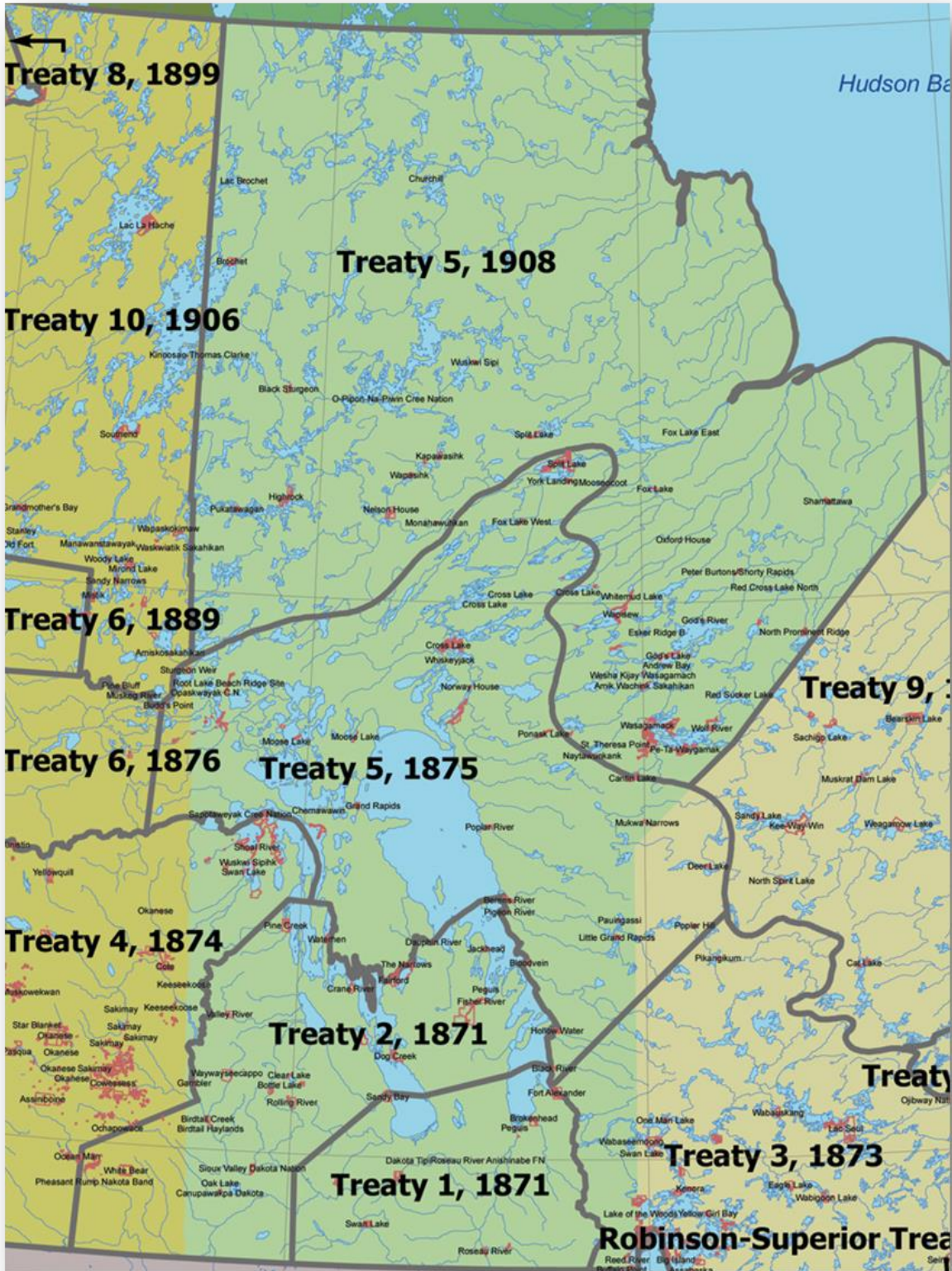
12.6 Pre-publication corrections

- a) When preparing an original Law for publication, Norway House Cree Nation without altering the legal effect of the original Law, may:
 - i. Correct spelling, capitalization, punctuation or grammatical errors, and any other errors that are of a clerical, typographical or similar nature.
 - ii. On discovering that the online version of an original Law differs from the Law as enacted, otherwise than because of a change or correction made under subsection i., Norway House Cree Nation will ensure that the online version is promptly corrected; and
 - iii. May publish a notice of the correction on the Norway House Cree Nation website.
- b) A change or correction made to an original Law under this section does not change its legal effect.

Appendix 2: Map of the Norway House Cree Nation Northern Flood Agreement Resource area



Appendix 3: Map of Treaty 5 and Treaty 5 Adhesion areas



Appendix 4: Contact Information for matters relating to this draft Law

*** A paper copy of the draft Law can be picked up by Norway House Cree Nation Band Members at the Chief and Council office, Monday to Friday during office hours.

Please Note: The contact information below is only if you have questions, comments, concerns, or suggestions on how to improve the draft law.

** If you have questions or concerns about the safety of a child, please call Kinosao Sipi Minisowin Agency at (204) 359-4551.

** If you have questions or concerns about your Federal or Provincial compensation claim, please contact your Claims Administrator.

Mailing Address:

Norway House Cree Nation
Attention: Ininewi Wanasiweywin, C-24 Elders Advisory Group
P.O. Box 250
Norway House, Manitoba R0B 1B0

Phone: 204-359-6721 Please leave a message for C-24 Elders Advisory Group

Fax: 204-359-6080 attention: C-24 Elders Advisory Group

E-Mail: familyservices@nhcn.ca

Monday-Friday: 9am to 5pm

Saturday-Sunday: Closed